

REMARKS

Applicant appreciates the Examiner's indication that claim 5 includes allowable subject matter.

Applicants have amended claim 1. Support for the amendments can be found in the originally-filed specification, e.g., at page 5, line 7 – page 9, line 20 and Figures 1-6.

Objections to the Claims

The Office action objected to several informalities in claim 1. Applicant has amended claim 1 to correct those informalities and, therefore, requests that this objection be withdrawn.

Claim Rejections

The Office action rejects claims 1, 2 and 4 under 35 U.S.C. § 103 as unpatentable over U.S. Patent No. 5,890,709 (Phillips) in view of U.S. Patent No. 6,367,691 (Graef et al.).

Applicant respectfully submits that this rejection should be withdrawn.

The Office action alleges that the Phillips patent discloses the subject matter of claim 1 except for “determin[ing] whether an inserted banknote is true or false.” (Office action at pp.2-3) Amended claim 1 recites that “the braking means compris[e] a rolling body having a portion which protrudes from said part of the stacker guide . . . the braking means being surrounded by said part of the stacker guide except for said protruding portion of the rolling body.”

Accordingly, the stacker guide includes a protruding portion (which surrounds the braking means) that prevents the banknote accommodated in the stacker from contacting the braking means. The Phillips patent does not disclose or suggest any features that surround a “braking means” “except for [a] protruding portion of the rolling body.” Instead, the alleged “braking means” of the Phillips patent (retard roller 62) is simply mounted in open space on the mounting surface 32, along with several other components. (See Phillips, Fig. 1; col. 3:16-25) Thus, the Phillips patent fails to disclose or suggest several features of claim 1.

The Office action (at p. 3) cites the Graef et al. patent for its disclosure of a validator for detecting the “validity of banknotes inserted into the apparatus.” The Office action does not

point to (and the applicant could not find) any disclosure in the Graef et al. patent corresponding to, for example, “braking means comprising a rolling body having a portion which protrudes from said part of the stacker guide . . . the braking means being surrounded by said part of the stacker guide except for said protruding portion of the rolling body.” The Graef et al. patent, therefore, also fails to disclose or suggest features of claim 1 missing from the Phillips patent.

Accordingly, the Phillips and Graef et al. patents, alone or in combination, fail to disclose or suggest the subject matter of claim 1. Claims 2 and 4, which contain additional features, are allowable for at least the same reasons.

The Office action rejects claim 3 as being unpatentable over the Phillips patent in view of the Graef et al. patent and in further view of JP 408091639A (Kawabata et al.). The Office action cites the Kawabata et al. reference for its disclosure of a spherical roller. The Office action does not point to (and the applicant could not find) any disclosure in the Kawabata et al. reference corresponding to, for example, “braking means comprising a rolling body having a portion which protrudes from said part of the stacker guide . . . the braking means being surrounded by said part of the stacker guide except for said protruding portion of the rolling body.” The Kawabata et al. reference, therefore, fails to disclose or suggest features of claim 3 missing from the Phillips and Graef et al. patents. Accordingly, the Phillips and Graef et al. patents and the Kawabata et al. reference, alone or in combination, fail to disclose or suggest the subject matter of claim 3. Applicant, therefore, respectfully submits that claim 3 is allowable over the cited art.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as

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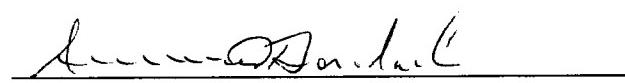
Attorney's Docket No.: 19291-010US1 / C-686US

an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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